

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL RAMIREZ,

Defendant.

8:22CR81

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court upon the government's Motion for Preliminary Order of Forfeiture (Filing No. 46). The Court has carefully reviewed the record in this case and finds as follows:

1. On September 15, 2023, defendant Gabriel Ramirez ("Ramirez") pleaded guilty to Count I of the Indictment (Filing No. 1) and admitted a portion of the Forfeiture Allegation. Count I charged Ramirez with conspiracy to distribute and possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine; in violation of 21 United States Code section 846.

2. The Forfeiture Allegation sought the forfeiture of \$9,140 in United States currency seized from 2420 South 17th Street, on April 14, 2022, on the basis that it was (a) used to facilitate the offense charged in the Indictment, or (b) derived from proceeds obtained directly or indirectly as a result of the commission of the offense.

3. Based on Ramirez's guilty plea and admission, Ramirez forfeits his interest in the \$9,140 in United States currency and the government is entitled to possession of any interest Ramirez has in the \$9,140 in United States currency pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture should be granted.

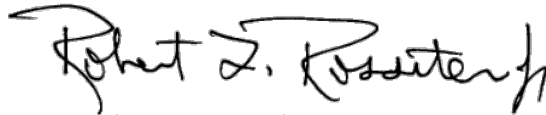
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 46) is granted.
2. Based upon the Forfeiture Allegation of the Indictment (Filing No. 1) and Ramirez's plea of guilty and admission, the government is hereby authorized to seize the \$9,140 in United States currency.
3. Ramirez's interest in the \$9,140 in United States currency is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The \$9,140 in United States currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the \$9,140 in United States currency in such manner as the Attorney General may direct, and notice that any person, other than Ramirez, having or claiming a legal interest in the \$9,140 in United States currency must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$9,140 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$9,140 in United States currency and any additional facts supporting the Petitioner's claim and the relief sought.
7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$9,140 in United States currency as a substitute for published notice as to those persons so notified.

8. The government is to return the remaining \$45,000 in United States currency sought in the Forfeiture Allegation and dismiss it from the Indictment.
9. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 27th day of September 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge